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## IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

V.

Plaintiff,

Pl

## **ORDER**

TILLEY, Chief Judge

This matter is before the Court on Defendant's Motion to Dismiss or, in the Alternative, to Transfer. [Doc. #3]. For the reasons set forth in a contemporaneously filed Memorandum Opinion, the Defendant's Motion to Dismiss is DENIED. The Defendant's alternative Motion to Transfer to the United States District Court for the District of Massachusetts is GRANTED.

This the 3151 day of March, 2004.

United States District Judge